

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAY SCHUYLEMAN,

Plaintiff,

v.

BARNHART CRANE AND  
RIGGING CO., et al.,

Defendants.

CASE NO. C23-0562JLR

ORDER

Before the court is the parties' joint motion to amend several deadlines relating to claim construction. (Mot. (Dkt. # 57).) The court entered its original scheduling order on February 6, 2024 (2/6/24 Sched. Order (Dkt. # 47)) and granted the parties' joint motion to amend that order on April 25, 2024 (4/25/24 Sched. Order (Dkt. # 53).) The parties now seek to amend their stipulated scheduling order because they have failed to timely take expert claim construction depositions. (See Mot. at 1-2.)


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The court made clear in its initial scheduling order that it will alter dates “only upon good cause shown” and that the “failure to complete discovery within the time allowed is not recognized as good cause.” (2/6/24 Sched. Order at 2.) The court finds that the parties have not established good cause to amend the scheduling order and therefore DENIES the parties’ motion (Dkt. # 57). Furthermore, changes in the schedule at this stage of the proceedings risk jeopardizing the *Markman* hearing date and the trial date. The court is, however, willing to alter the scheduling order as follows:

Event	Current Date	Parties’ Proposed Date	Court’s Proposed Date
Completion of expert depositions on claim construction	7/15/24	7/31/24	7/29/24
Joint claim chart and Prehearing Statement	7/17/24	8/2/24	7/31/24
Opening claim constructions briefs due	8/9/24	8/16/24	8/13/24
Responsive claim construction briefs due	8/23/24	8/30/24	8/26/24

If the parties wish to proceed with the court’s proposed dates above, they must file a stipulated motion to that effect by no later than **July 17, 2024**.

Dated this 16th day of July, 2024.

  
 JAMES L. ROBART  
 United States District Judge